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ABSTRACT

In an age of little or no consumer protection, the St. Louis "Post-Dispatch," under the guidance of Joseph Pulitzer II, was the first and most successful practitioner of self-imposed censorship of advertising, a practice that continues to this day. Beginning on May 1, 1929, the "Post-Dispatch" announced an aggressive program of advertising censorship aimed primarily at keeping fraudulent, misleading, deceptive, and exaggerated medical and health care products advertising out of the paper. Pulitzer also had his censorship board apply the same standards to his classified advertising and to advertising on his radio station. Although the program certainly cost the paper a great deal of advertising revenue, it may have enhanced the paper's moral stature and influence and perhaps have contributed to its continued existence. (JL)

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NUMBER SEVENTY-SEVEN

DANIEL W. PFAFF

Joseph Pulitzer II and Advertising Censorship, 1929-1939

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DANIEL W. PFAFF

Joseph Pulitzer II and Advertising Censorship, 1929-1939

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(Prior Publication)

DANIEL W. PFAFF is an associate professor of journalism at the Pennsylvania State University. He gratefully acknowledges the assistance of Mrs. Ann Prichard and Mrs. Mary Prichard Partridge, the widow and daughter of the late Leslie E. Prichard, who guided the *Post-Dispatch* advertising censorship program from December, 1929, until his retirement in 1962, for providing material from files in their possession. He is also most grateful to Ben L. Brockman, whose memory of the events described provided important details. Valuable assistance also was given by Mrs. Nancy W. Stoddard, chief librarian, and James D. Cherry, director of marketing at the *Post-Dispatch,* and Donald F. Maguire, who retired as *Post-Dispatch* advertising censor in 1980.

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IN DISCUSSING honesty in advertising, "experience indicates that purely voluntary efforts at self-regulation are not likely to be successful."[1] By its own criteria, the self-imposed censorship of advertising copy at the St. Louis *Post-Dispatch* from 1929 to 1939 is an exception to that rule—and the paper's high standards of advertising acceptability begun a half century ago are still being followed.

It is a remarkable story on several counts, the first two being the completely atypical thoroughness of the censorship operation and the fact that it was undertaken with no outside pressure. This goes contrary to the usual expectation that the reason "to curtail deceptive advertising is to dampen public criticism and forestall legislation."[2] In the absence of evidence to the contrary, it is likely that no publication ever had been willing to sustain, year after year, the level of lost revenues that resulted. The advertising censorship program was begun just five months before the financial collapse of October, 1929, that ushered in the Great Depression, yet it was maintained and strengthened throughout the Depression decade, at the end of which the paper's total advertising lineage had declined by 40 percent.[3] It outstripped every governmental effort of the period to regulate advertising claims—the main ones of which found little support among newspapers. And, at the publisher's direction, it was done quietly, without self-congratulatory publicity.

The publisher was Joseph Pulitzer II, whose father had founded the *Post-Dispatch* in 1878 and gone on to fame as the editor-publisher of the New York *World*.[4] He died in 1911. In his will the elder Pulitzer specified that the *World*, left in the charge of his sons Ralph and Herbert Pulitzer, could never be sold, but that the *Post-Dispatch* might be should that become necessary to keep the *World* in business. But when the *World* began to lose large sums of

money at the outset of the Depression, court permission was obtained to break the will, and it was sold in 1931.[5] That left Joseph Pulitzer II, the least favored son who had been given charge of the *Post-Dispatch,* to carry on through that paper the wish his father had expressed for the *World*: that it be run "as a public institution, from motives higher than mere gain."[6] It is clear that he did so in the area of advertising acceptability, a subject of almost no concern during his father's career.

In fact, at the height of its powers in the mid-1890s, the *World* was advertising Big G, a remedy said to prevent or cure general contagion; Radway's Ready Relief, purportedly effective against insect bites, burns, cholera, bruises, diarrhea and dysentery; Old Dr. Grindle, a manhood restorer; a Dr. Conrad and at least 20 others who provided illegal abortions and numerous disreputable lawyers who specialized in divorce and damage suits. This was common in New York (and other) newspapers at the turn of the century, though most prevalent in the sensational papers, of which the *World* and William Randolph Hearst's *Journal* were the circulation leaders.[7]

Partly because of their lower circulations and partly because advertisers knew they had more discriminating readers, the *Times, Tribune, Evening Post* and *Herald* carried fewer such advertisements, though as late as 1934 the *Times* and *Herald Tribune* were printing such claims as that Bayer Aspirin would cure colds, Bell-Ans would enable one to eat anything one desired and that the Hemp Massager, to remove fat, "from Rochester, Minnesota," had the endorsement of the Mayo Clinic.[8] As late as 1926, the *World* was running ads promising women great transformations into beauty via facelifting while most of the city's other papers were turning away such business.[9] One surveyor of Washington, D.C., and New York newspapers in the mid-1930s concluded: "Sometimes the deception was gross; sometimes it was slight or merely typographical, but something misleading was always there."[10]

No one has pinpointed the origin of advertising censorship by newspapers,[11] but magazine historian Frank Luther Mott noted that "some periodicals began protecting their readers against fraudulent advertising as early as 1880, and gradually reliance on the *caveat emptor* rule was abandoned by the better class of periodicals." Magazine publishers and their advertising managers began to call for reform, Mott wrote, once they "realized that the unreliable

and disreputable announcements imperiled the entire business."[12] When Cyrus H.K. Curtis purchased the *Saturday Evening Post* in 1897 and forbad all liquor, patent medicine and financial ads, "he gave the Post the strictest code in the entire magazine field," according to a Curtis Publishing Co. booklet put out in 1949. "For every advertisement that was kept out, however, two seemed to come in," it added.[13]

Still, few magazine publishers were willing to risk finding out whether censorship improved their business. Instead, advertisers were permitted a degree of frankness at variance with what would be considered in good taste in the other content of the publications. A product called No-to-bac was advertised in "many very respectable periodicals" under "the revolting slogan 'Don't Tobacco Chew and Spit Your Life Away.' " Use of the female form in advertisements came under heavy attack by women's groups in the 1890s, to only limited effect. For example, another Curtis publication, the *Ladies Home Journal,* dropped the discussion of women's underwear from its editorial columns, calling the subject "offensive to refined and sensitive women," but allowed its advertisers to continue to use the female figure in illustrations.[14]

Newspapers followed a similar slow course toward reform of advertising copy. In the 1840s, Horace Greeley "spoke for most of the important editors in the country" when he told *Tribune* readers who thought they had been misled by advertising claims to "complain to our advertisers themselves, who are not responsible to us for the style of language (if decent) of their advertisements, nor have we any control over them."[15] In 1865, the New York *Herald* announced that "all objectionable medical advertising will be rigorously excluded from this paper as soon as existing contracts have expired," but in practice rejected only "what was regarded as the most repellent copy."[16]

Likewise, in the 1880s and 1890s, William Allen White observed, "the business office of the newspaper swallowed, without gulping, advertising of fortune tellers, astrologers, healers, or traveling quack doctors, and in some cases fairly reputable city newspapers took 'personals' which were thinly disguised advertisements for prostitutes." He added that the advertising brought no public outcry, though "a few preachers fidgeted" and "a few 'holier than thou' agitators scowled."[17]

Advertising censorship by newspapers owed its beginnings,

White wrote, to "a feeling . . . among all who handled advertising . . . that stupid antisocial advertising was bad for business." It was not a major or coordinated movement, but "a sort of glacial process" begun when "advertisers of food and clothes, household necessities and luxuries, began to feel uncomfortable when their advertising appeared in a newspaper where the virtues of a certain syphilitic specific were extolled." Gradually, some newspapers began to refuse ads for opiate and alcohol-laced patent medicines, although "the vast majority of newspapers . . . could not afford to be 'choosy' in such matters."[18]

There were more advertising rejections following the muckraking exposes of the patent medicines in *Collier's* magazine in 1905 and Upton Sinclair's indictment of the meat packing industry in the book *The Jungle* the following year. Another result was President Theodore Roosevelt's campaign for the Pure Food and Drug Act, which became law in 1906.[19] "The sad fact is," White noted, "that every great advertising agency, and so far as I can remember most of the important American newspapers, violently opposed that act," often in private letters to congressmen.[20]

Once a fact, however, the Pure Food and Drug Act would be described as "an event of large significance to the sounder development of advertising,"[21] even though what it required was factual labeling, not more truthful advertising. Closer to the mark was the conclusion of Otis Pease in 1958 that "while the largest and most conspicuous advertisers in 1910 were less prone to outright dishonesty and deception than they had been a generation previous, many more firms were advertising, and it is doubtful whether the average behavior of the industry had improved." He exempted from this charge "the muckraking efforts of a few notable publishers," who "temporarily eliminated the worst examples of fraud from a few magazines and newspapers."[22]

What appears to be the earliest systematic approach to the problem for newspapers was begun in 1903 when the Scripps-McRae League appointed Robert F. Paine, a veteran editor of the Cleveland *Press*, as advertising censor. He was to pre-screen every ad to appear in a League newspaper and had absolute power to reject anything he considered unfit. League President Milton McRae later reported that Paine rejected "nearly half a million dollars' worth" of advertising in a single year (not specified), bringing "upon us the severest criticism from many of the biggest advertisers of the coun-

try." In his autobiography, published in 1924, McRae called this "the beginning of a great reform which has swept from ocean to ocean until today national advertising, as well as newspapers, is benefited in consequence."[23] That that was hyperbole is illustrated by the story James Playsted Wood tells of Brandeth's Pills, whose promoter had been described in 1837 by James Gordon Bennett, editor of the New York *Herald,* as "the most superlative quack that ever appeared in the world" after Bennett had a disagreement with Dr. Brandeth and threw his advertising out of the *Herald.* "His pills were still being advertised," Wood observed, "when the *Herald* disappeared in 1924 through merger with the *New York Tribune.*"[24]

Yet all observers agree that there was some improvement in acceptability standards during the first two decades of the 20th century over the "anything goes" permissiveness of 19th century publishers. However, this was accomplished more by changes in business conditions than by a new social awareness. As the late Louis M. Lyons expressed it:

> The muckrakers had less effect in reform of advertising than did its own growth. The twentieth century brought advertising to a maturity required by its own immense development. In the nineteenth century it had been a supplemental revenue; but by 1914 advertising revenue had become nearly double circulation revenue. Advertising had become professional: the age of mass production required mass merchandising and the rise of manufacturers demanding markets legitimized advertising. Led by the new automobile, national product advertising squeezed out the patent medicines and elixers of the more primitive earlier period. The newspaper was the prime advertising medium.[25]

These factors, plus awareness that the pure food and drug law came uncomfortably close to governmental supervision of advertising, led in 1907 to some concerted interest in self-regulation. That year the Associated Advertising Clubs of the World established a National Vigilance Committee to "curb abuses" of business ethics and discourage "unfair" competitive practices.[26] At a 1911 convention of the AACW in Boston, the organization urged every state in the union to adopt a model statute proposed by the trade journal *Printers' Ink.* It provided that any person who offered an advertisement containing "any assertion, representation or statement which is untrue, deceptive or misleading shall be guilty of a misdemeanor."[27] By 1940 the model statute had been adopted as proposed by 26 states—including Missouri—and in a weakened version requiring that the state prove knowing deception in 17 others. Five states ignored the request.[28]

There were few prosecutions under the *Printers' Ink* statute, but its general acceptance and the preference in the business community for internal regulation led to the creation of successors to the early "vigilance committees" in the form of Better Business Bureaus. These were staffed by fulltime professionals and by the late 1920s had offices in most of the large cities. In 1925 a National Better Business Bureau was started for the purpose of "centralizing and coordinating the Truth-in-Advertising movement."[29] This "private policeman for national advertisers"[30] relied upon the voluntary willingness of advertisers to agree among themselves on appropriate behavior. The main focus of Better Business Bureaus was upon anti-competitive practices such as price cutting and the sale of inferior or defective merchandise. They also could—and did—try to encourage honest advertising in the press of their communities. But this proved, in large part, to be impossible. As Pease described it: "By the beginning of the Depression an increasing number of large companies now fell under Bureau censure, not for such clearly fraudulent practices as labeling rabbit fur mink or selling goat glands to elderly men, but for a type of advertising practice known euphemistically as a 'borderline offense.' "[31] A considerable part of the *Post-Dispatch* effort would be directed against such practices.

Borderline offenses involved misleading claims rather than outright deceptions and were, therefore, susceptible to some latitude in interpretation. They usually were unreachable by any means available to the local bureaus, particularly when the borderline deceptions were in the copy of national advertisers with established reputations. "Against a local merchant, sanctions by a Bureau (supported by other local merchants and perhaps the local newspaper) could and generally did prove a formidable threat," Pease wrote. But "against a large corporation, which sold a product in a national market and advertised it in a nationally circulating magazine, the local Bureau was powerless. Nevertheless, by 1930, to judge by complaints made to Bureaus about advertising, national advertisers had become the worst offenders against canons of advertising ethics."[32]

In connection with all this, it must be noted that an astute businessman named Adolph S. Ochs had acquired the New York *Times* in 1896 and immediately eschewed the sensational, circulation-building tactics of his major competitors in favor of reaching more thoughtful, serious readers. The Ochs influence has

been given considerable credit for setting the pace of advertising censorship nationwide because of the publicity given the acceptability policies of the *Times,*[33] although, as previously noted, they were not uniformly stringent. As *Times* historian Elmer Davis explained it, the belief developed at the paper that "there is doubtless a considerable part of the public which will always be too stupid to know that it is being deceived, or too listless to care; but *The Times* was not aiming at that class of readers."[34] In 1930, Arthur Hays Sulzberger, who would succeed Ochs as publisher, reported that in 1929 the *Times* had refused $350,000 worth of advertising "which for various reasons was found unacceptable, and much of which was then accepted and printed elsewhere."[35] By then the newspaper had for some years investigated any advertising offered to it whose claims it considered suspect and would exclude all about which any doubt remained, even if the results of the investigation were inconclusive. The yardstick, as Davis had expressed it, was that "the newspaper may do a good deal in the suppression of improper claims by advertisers, but it cannot do all the reader's thinking."[36] In the period under consideration the *Times* appears, prudently, to have been at its strictest in evaluating financial advertising, for which banking references were regularly required.[37]

Beyond an awareness that the *Times* practiced advertising censorship, no indication was found that the *Post-Dispatch* (or any other newspaper) modeled its operation on that of the *Times.* In fact, following "an exchange of ideas and experiences" during a meeting in New York in February, 1930, with Charles D. Puckette, chairman of the *Times'* censorship committee, Ben L. Brockman, the first chairman of the *Post-Dispatch* censorship committee, reported:

> I was able to fully confirm my previous impression that the New York *Times'* policy is inconsistent. This is due largely to their having no definite policy such as our own. After reading an outline of our regulations, Mr. Puckette asked for a copy stating that he felt our policy was better than his own.[38]

This suggests that while some censorship of advertising by newspapers and magazines was common by 1929, screening as systematic as that established by Pulitzer was exceptional, if not unique. That conclusion is supported in a 1937 survey that unfortunately did not name all 14 of the newspapers involved, but could have included the *Post-Dispatch.* It found acceptability requirements ranging from "a few broad rules" to "many detailed regulations." In

the latter category it described one paper, which sounds very much like the *Post-Dispatch:* "One such newspaper maintains a censorship department with three employees who do nothing but check copy for violations of the many rules and regulations. It has, for example, scores of regulations relating to such classifications as amusements, real estate, medical and jewelry."[39] The survey also found that seven major papers depended largely upon Better Business Bureau supervision: the Washington *Evening Star,* New York *Evening Journal,* Cleveland *Plain Dealer,* Detroit *News,* Los Angeles *Times,* Chicago *Tribune* and Chicago *Daily News.*[40]

It is clear from the fact that he established his own censorship operation that Pulitzer viewed the situation as did the authors of a 1933 book on consumer fraud: "Today the majority of magazines of national circulation and most newspapers will not accept some of the worst types of medicine advertising; but they still gladly accept advertising which is both fraudulent and dangerous, if not too obviously so." His action also agreed with their conclusion that radio station owners and publishers, of which he was both, were more to blame for the continuation of dishonest advertising than were advertising agencies, who couldn't keep advertisers from using other agencies or starting their own. But when publishers refuse to accept advertising, they pointed out, that makes it virtually impossible for the advertiser to reach the special audience of that paper or station.[41]

A general lack of interest among publishers in doing that kind of thing, plus the dearth of meaningful consumer protection legislation, made it possible for those authors to paint a frightening picture of widespread deception in *100,000,000 Guinea Pigs,* "a book advertising men found particularly hard to view with indifference"[42] and an opening shot in what would become the consumer movement of the 1930s. It was an instant best seller, with 11 printings between January and May, 1933, and excited, as *The Jungle* had 25 years before, an interest in new legislative measures.

The result, after five years of competition, struggle and compromise, were two federal measures: a new Food, Drug and Cosmetic Act[43] that replaced the 1906 Act and gave the FDA substantial new powers except those the agency wanted over advertising, and the so-called Wheeler-Lea Amendment to the Federal Trade Commission Act of 1914,[44] giving the FTC certain powers over the advertising of food, drugs and cosmetics.

The story behind these enactments provides a revealing backdrop for the *Post-Dispatch* censorship program. The proposed reform of the food and drug law was championed from the start, in 1933, by Assistant Secretary of Agriculture Rexford G. Tugwell and became known as the "Tugwell Bill." The original draft would have empowered the FDA to prohibit the "false advertising" of any food or drug. It defined an advertisement as false if "by ambiguity and inference" it created a "misleading impression." For example, a drug could not be called a "cure" if it were only a "palliative." Falsely advertised goods were subject to seizure by the Department of Agriculture.[45] The proposal also extended regulation from labels on containers to newspapers and magazine advertising, required that labels contain definite information and "demanded grade labeling for foods."[46]

Enthusiastic support for these requirements came from "spokesmen and lobbyists for consumers' organizations, particularly women's clubs," as well as "the AMA, the *Nation*, the *New Republic*, and *Good Housekeeping*, while even *Advertising and Selling* [a trade publication] warmly defended many of them."[47]

But there were severe denunciations as well. The Proprietary Association, representing a number of national advertisers, called the bill "grotesque," "evil" and "vicious." The National Publishers Association, speaking through C.C. Parlin of the Curtis Publishing Company, said the grade labeling of goods was a threat to "the very existence" of newspapers and magazines. Patent medicine and drug manufacturers pressured newspapers to denounce the bill; "plainly implied was the threat of cancellation of advertising contracts."

Generally, "whether for fear of lost advertising revenue or for other reasons, the press subjected [the bill] to an almost total blackout, except for splenetic denunciations of Tugwell," who was frequently portrayed as a Communist sympathizer. "Even the New York *Times*, in the five years of the struggle, put the story only once on the front page (and this because of a disturbance made by a spectator in the Senate galleries.)"[48]

When it was finally over, in 1938, a substantially weaker version of the Tugwell proposal in both its requirements and penalties put advertising under Federal Trade Commission supervision. It was no substitute, in the view of the *Post-Dispatch*, for what it had been doing for the past eight years,[49] but it was a stronger attack on the problem than ever before, and the attention focused upon the issue

during the '30s almost certainly had some beneficial effect. As Otis Pease observed:

> The passage of the Wheeler Lea Act, and to a lesser extent the passage of the Food, Drug and Cosmetic Act, confronted advertising men with a new set of minimum legal conditions within which they must carry on their trade, but the minimum was less than the Government had hoped for, and advertising men could reasonably expect that in the long run the bulk of consumer advertisements would not be greatly affected by it.[50]

As for a direct influence of the new laws upon advertising practices, Pease was able to find little in a check of national advertising in three magazines and one newspaper (none identified) between 1929 and 1939. He found a decrease from an average of 20 questionable claims per issue in 1929 to "about nine" by 1937, where it remained for the rest of the decade.[51]

This was the setting in which the *Post-Dispatch* program operated during its first ten years. It existed in the form established in 1929—as a three-member censorship board—for 51 years, until 1980, when it was modified in form, but continued in substance.[52] What follows is the story of how and why the paper and its affiliated radio station censored advertising during those first ten years.

Post-Dispatch *Censorship, 1929-1939*

On May 1, 1929, the St. Louis *Post-Dispatch* announced an aggressive program of advertising censorship aimed primarily at keeping fraudulent, misleading, deceptive and exaggerated medical and health care products advertising out of the newspaper.

The paper had, like some other newspapers and magazines, screened out objectionable references in advertising copy prior to 1929 as well as ads for products such as those containing habit forming drugs and promotions of "get rich quick" financial schemes. But this, at the behest of Editor-Publisher Joseph Pulitzer II, was to be a broader and more consistent approach. Under the second Pulitzer, as under the first, the *Post-Dispatch* was a crusader against injustice and a promoter of social reform. In Pulitzer's view, close scrutiny of the paper's advertising meshed well with those purposes.[53]

To do the job he created a three-member Advertising Censorship Board composed of advertising department executives. It was headed by Ben L. Brockman, the paper's national advertising manager, who had worked for nearly 20 years in the sales department of

the William R. Warner Chemical Company in St. Louis before joining the *Post-Dispatch*. Brockman said he was picked to head the censorship board because he knew more about drug and medical products than anyone else at the newspaper as a result of his work with the pharmaceutical firm.[54]

The information available on the censorship operations at other newspapers suggests that as systematic an attack on the problem as the *Post-Dispatch* wanted to develop probably was unprecedented.[55] As one of those initially involved in the work put it: "We were more or less out on a limb by ourselves."[56] Materials from Pulitzer's papers and the files of Leslie E. Prichard, the supervisor of the censorship operation throughout its first decade, show that the newspaper was determined to succeed. As a result, each year between 1929 and 1939 it turned away an average of $63,220 in unacceptable advertising[57] and devoted numerous man-hours to evaluating advertising claims. If this had offsetting benefits in terms of increased good will and larger purchases of space by "reputable" advertisers, no way, as will be seen, was found to measure it.

At the end of ten years, however, the paper and its affiliated radio station, KSD, had what could serve as a model for media self-regulation of advertising content. The *Post-Dispatch* clearly did not mind setting a good example, but that had not been the main goal. To Pulitzer, it was as much the paper's responsibility to carry "clean" advertising as it was to strive for accuracy and honesty in its news columns.

The censorship board was to function as a monitor of advertising copy generally and to pass upon new and unusual questions as they arose. A list of censorship guidelines was prepared and given to advertising department personnel as well as *Post-Dispatch* advertisers and advertising agencies.

Initially, the board focused almost entirely upon medical advertising. Banned were advertisements for the treatment of major ailments, such as diseases of the kidneys, lungs or heart, or any ailments "where delay in obtaining proper medical attention might result in a serious condition." Unacceptable as well were ads with objectionable headings that emphasized such words as "pimples," "bowels," "blemishes," "sores," "itch" and "constipation," and illustrations showing such things as deformed feet and pimpled faces. Also to be barred were "preparations containing anything that in

the opinion of the *Post-Dispatch* may be harmful to skin, body or organs."[58]

Both because they were not medical authorities and because their first instinct was to get advertising into the paper rather than to keep it out, *Post-Dispatch* advertising personnel did not immediately adjust to the new rules. As might be expected, some advertisers were angered. They thought the new policy was arrogant and unbusiness-like.[59] This meant that the members of the censorship board and advertising manager George M. Burbach had, especially at first, a demanding job of translating censorship requirements for both subordinates and clients. Shortly after the board was created, Burbach recorded in a memorandum "Mr. Pulitzer's views" on the approach to be taken to medical advertising:

> Whoever is in charge of the copy should be a person who is neither of the "crank" sort that sees red as he sees medical advertising, nor should he be the type that is represented among the earnest workers of the advertising department, who are striving to beat the other papers in lineage and accomplishment. His views should be nearer to the point of eliminating the ad than the other view.[60]

That became Pulitzer's rule of thumb: "When in doubt, leave out."[61]

The adjustment period, however, was relatively brief. The greatest controversy and confusion was during the board's first five or six months. Outcries first came from clients who felt that they should have been given a grace period in which to modify their copy rather than being immediately subject to the new standards. For example, on May 13, 1929, R.A. Fletcher, manager of the paper's Eastern Advertising Office in New York City, informed Burbach that "the majority of agencies which so far have been affected by the cancellation of proprietary advertising are inclined to be incensed over the fact that we gave them no advance notice in order that they could arrange for a continuity of advertising in St. Louis without omissions."[62] Three days later, he added: "For your information, our competitors are following the accounts which we are most likely to lose with no lack of acumen."[63]

A somewhat more hopeful appraisal came from Philip L. Henriquez, in charge of the Western Advertising Office in Chicago to Brockman:

> While I think the increased productiveness of the paper should help us carry more clean business, I have little faith that [stricter censorship] would produce a material increase in lineage, as I know the advertising world too well. But if we

continually impress the fact of the productiveness of the *Post-Dispatch* on the minds of advertisers in every piece of literature that goes out, it should bear fruit, as you will remember the old adage: "The constant drop of water wears away the hardest stone."[64]

The gravest doubts about the new policy were expressed by Virgil V. Evans, who had recently left advertising jobs in Atlanta on two national magazines to become one of the three original members of the censorship board. Pulitzer had hired Evans in April, 1929, at a $10,000 salary as a kind of advertising troubleshooter, giving Evans the impression, it appears, that he had considerable authority.[65] However, by October, Evans and Burbach clashed because Evans thought the censorship was too strict.

On October 2, 1929, Burbach sent a long letter to Pulitzer, who was then staying at his home in Bar Harbor, Maine. It detailed a number of complaints about Evans' uncooperativeness and what Burbach viewed as insubordination. He asked that "some definite action be taken whereby Evans will be completely divorced from the advertising department." He argued that:

> Evans is not qualified, except in a very few unimportant particulars, to continue the work he is doing as he lacks judgment and the ability to analyze newspaper problems in a way that will minimize complaints and a loss of lineage. This coupled with the fact that he will not listen to suggestions or learn from experiences makes him not only useless but a source of worry, annoyance and a consumer of our time which should be used to better advantage.[66]

Despite that strong language, Pulitzer did not act hastily. He asked Evans for his account of the situation, which he received several weeks later in a lengthy memo in which Evans outlined "what I think are incorrect methods of applying our censorship."[67]

Evans believed that the *Post-Dispatch* was, in all likelihood, setting itself up as the most restrictive newspaper in the country. He reported visiting the New York *Times* to get an understanding of its censorship operation and obtaining the censorship regulations and comments on how they were applied from 25 of the larger newspapers in the country. He found, he reported, that only the Scripps-Howard papers and the New York *Times* had "a system of censorship of an organized nature." Of the others, he wrote: "None of these newspapers appeared to have any system for enforcing or applying advertising censorship, and a subsequent check of the papers indicated that they had very little censorship." He also identified the *Saturday Evening Post* and the *Times* as "the two

publications that have what is regarded as the most strict censorship in America." Both, he pointed out by including clippings from them, had accepted advertising copy for foot care products and hair tonics—among others—that the *Post-Dispatch* had either rejected or demanded revision of. To him, this meant the paper was dangerously out of touch with what the most responsible publications were requiring. "I do not agree with Mr. Burbach that we should entirely ignore what the New York *Times* is doing on censorship," he wrote. "They have a wonderful lot of valuable experience."

What most concerned him was that advertising agencies might retaliate against the paper by canceling their non-censored schedules. "If we deliberately offend an agency," he argued, "it is human nature for the agency to penalize us if possible. Such a penalty is usually in the form of withholding schedules for non-medical advertising from us and giving it to the competitor, or furnishing us with small copy and giving the competitor big copy." He emphasized that his main objection was that the censorship policy had been too swiftly enforced. He also pointed out what were to him inconsistencies in the application of censorship rules:

> I contend that the censorship must be applied to all alike. We will not obtain the cooperation of advertising agencies in the elimination of objectionable illustrations and copy for medical products if we permit theatres to announce parades of nude women and insert illustrations of nude women in the *Post-Dispatch*.

Evans appears to have made two miscalculations in his memo to Pulitzer. First, his emphasis upon the cost of censorship in lost lineage seems not to have had the power he thought it might. Second, he unwisely was critical of the selection of Brockman as chairman of the censorship board, pointing out Brockman's limited experience of less than a year in advertising as contrasted to his own 19 years in the business.

On the matter of cost, Evans noted that when the censorship plan was first discussed, Pulitzer had been given an estimate that it would cost the newspaper between $250,000 and $450,000 a year in lost lineage. There is nothing to suggest that this concerned Pulitzer. Nevertheless, Evans persisted in his argument that if the policy were more consistently applied and gradually evolved, the cost would be $50,000 or less.

All these estimates, of course, were guesses. So was Evans' belief that the paper would be "penalized" by angered advertisers and agencies. In his view, "to a large extent, the 500 or 600 small

advertising agencies throughout the country follow the leadership of the very few great agencies.... We unfortunately picked the three largest advertising agencies in America when we summarily threw out Fleischmann's Yeast copy,[68] Mentholatum copy[69] and the Kellogg Bran copy[70] without giving them sufficient time to furnish substitute copy." The Fleischmann's ad made what the majority of the board considered unsupported claims about the health benefits of eating yeast. The Mentholatum ad included an illustration of a woman with her blouse off her shoulders rubbing the product on her upper chest. The Kellogg Bran copy used the word "constipation" in large type in the heading. (A different version, with the word in body type only, was later accepted.) None of this was as worrisome to anyone else at the paper as it was to Evans.

His attitude toward Brockman forced the issue of Evans' incompatibility with the idea of advertising censorship and the others who were trying to follow the publisher's wishes:

> In my remarks regarding Mr. Brockman's inexperience I have not intended to indicate that he should not be on the Censorship Committee. Indeed, I think he should. His eighteen years experience in a wholesale drug house should be valuable in this work. The Chairman of the Censorship Committee, however, I contend, should have a thorough working knowledge of advertising agencies as well as our own problems insofar as they have to do with advertising.

In the end, Burbach prevailed. Evans was taken off the censorship board in early December and not long afterward left the *Post-Dispatch*. In a memo to Burbach on November 27, 1929, Pulitzer said he wanted to "get medical advertising and Evans' connection with it off my desk once and for all."[71] A 1931 letter reports that Evans worked for the paper "for perhaps nine months" and that "largely as a result of his not being able to get along with those over him, he left by mutual consent."[72]

Another publisher might have found Evans more persuasive. Yet the agency resistance he had expected did not materialize. Instead, most were cooperating, though, Evans had thought, on a doubtful basis: "The advertisers and agencies are fearful of the censorship idea and the danger of its widespread adoption by newspapers. That fact accounts for some of the 'cooperation' we have had."[73]

Pulitzer's determination was bolstered by commendations such as one from a St. Louis ear, nose and throat specialist whom Brockman had asked for an opinion on copy for a sinus remedy. "I cannot refrain from expressing my appreciation to you for such an

attitude," the doctor wrote Pulitzer, "knowing that it must entail a substantial financial loss to you." Then he asked: "May I have your permission to mention the matter informally to members of the Ear, Nose and Throat Club of St. Louis, or should you prefer to have it remain confidential?"[74] Pulitzer replied: "There is no secret about what we are trying to do in the way of eliminating misleading medical advertisements."[75]

About a month earlier, Pulitzer had signaled his awareness of the potential "good will" benefit of the censorship program. But, he said in a memo to Brockman, "the fundamental basis . . . it should be borne in mind, is the desire of the *Post-Dispatch* to protect the public health. A secondary, though far less important consideration, may be the desire of the advertising department to capitalize on our so-called clean advertising standard."[76]

There was such a desire, but despite requests from the censorship board that the paper publicize the work in its own columns, there is no indication that this ever was done.[77] Burbach, like Pulitzer, was wary of publicity. After the secretary of the Missouri Medical Association sent a letter of compliment to the paper, Burbach informed Pulitzer that "owing to the possibility of creating the impression that we are being influenced by the medical associations, we are not using the letter."[78] Eventually—toward the end of the decade—some outside publicity would be allowed. But for the first several years the work was done with virtually no public fanfare. "It always broke my heart that we couldn't publicize it," Brockman said in an interview in 1981. "It would have helped to show how the *Post-Dispatch* was so productive in advertising because it wouldn't accept those things that shatter reader acceptance and confidence."[79]

In the wake of Evans' departure, in December, 1929, the censorship board was reorganized. Six men became involved in the work. Brockman turned over the chairmanship to Leslie E. Prichard, whom he had recommended for the position because he had worked with Prichard at the Warner Chemical Company. Prichard had been trained as an analytical research chemist at the St. Louis College of Pharmacy.[80] He became chairman of the three-member "active committee," along with Brockman and Adolph E. Schmid. An "advisory committee" composed of Burbach, *Post-Dispatch* treasurer Stuart M. Chambers and promotion manager Brent Williams was available for consultation in cases with policy implica-

tions.

Prichard's annual reports on the board's work for 1930 and 1931 concede that there was friction with some advertisers and indirectly verify Evans' reasons for uneasiness during the first months. Most telling are the differences in estimated costs for lost advertising between 1929, when the policy was in effect for only seven months of the year, and the full 12 months of 1931. (No record of lost lineage was kept during 1930). An estimated 360,000 lines of medical advertising alone were rejected from May through December, 1929. At an average national advertising rate of $.4264 per line, this would come to $153,504 in lost revenue. At the end of 1931, after keeping careful track both of rejected lineage and lineage carried in competing papers after schedules were turned down by the *Post-Dispatch*, Prichard estimated a total loss for that year of $78,800—close to half the first seven months' cost.[81] The next year Prichard also noted that during 1929 as much as $300 a month had been spent for outside analysis and opinion on medical products of doubtful value, an expense nearly eliminated when he joined the newspaper.[82]

In his 1930 report, Prichard acknowledged that penalties had been costly during those first months. Therefore, he noted, "in November, 1929, a modification of copy regulations was made which permitted the acceptance of certain words and expressions which heretofore were unacceptable." He also observed that "we feel that the resentful attitude expressed by some advertisers has changed, or that these advertisers have finally accepted the medical policy of the *Post-Dispatch*."[83] In his 1931 report, he attempted to balance the pros and cons: "There is no way to determine the loss in lineage through penalty nor the gain in lineage gotten because of our censorship."

A routine for the censorship operation was quickly evolved under Prichard's chairmanship. Copy would first be evaluated by him. If he considered it acceptable, he would send it to either Schmid or Brockman for a second opinion. In cases of disagreement, all three members would confer. They might make a final decision or a recommendation to the advisory committee or to Burbach alone. "Any and all copy recommended for rejection is always submitted to Mr. Burbach before it is finally rejected,"[84] Prichard explained. Several years later he would describe the procedure this way: "All day long we scan the proofs of future copy, getting in touch with the advertiser, asking questions, and then pointing out the disadvan-

tage of wrong or improper advertising when we find that to be the case. The honest advertiser is as quick to make changes as we are to ask for them, we find."[85] In 1932, for example, 6,833 of the 51,393 display ads published by the *Post-Dispatch* were scrutinized by the committee. Of those, 301 were edited and 101 were rejected. The rejections represented revenue of $9,562. In addition, 416 radio commercials were screened.[86] It also was the custom of the committee to go through a first copy of each issue of the newspaper, with the result that "on a few occasions ads were withdrawn or changed in subsequent issues."[87]

Broadcasting. Though he gave it relatively little space in his annual reports, Prichard spent about half his time on questions involving KSD, the publishing company's radio station and a National Broadcasting Company affiliate. Pulitzer's instruction was that the same standards were to be applied to its commercials, whether local or network, as to the newspaper's advertising.[88] In practice, somewhat stricter standards were applied, as Prichard explained it, "to compensate for the difference between the effect of the spoken word over the radio to a mixed audience in comparison to an individual reader."[89] In addition to reviewing commercials, Prichard also reviewed programming, monitoring scripts and electrical transcriptions scheduled for broadcast, thus accounting for the large amount of time he gave to radio censorship. "In the case of new programs when commitments are asked for by the network," he explained, "if there is any doubt as to the claims or language that may be used, we request the script for several advance programs and then check the first few broadcasts to see that our requirements are observed."[90]

While this kind of supervision was likely to be more readily accepted in the context of the 1930s than in later years, it did get, as Prichard put it, "afield of the committee's regular functions" and presented its members with some persistently difficult questions. He discussed several of these issues at some length in his 1934 report:

> Early in the year we were offered programs by the Watch Tower Bible and Tract Society prepared by Judge Rutherford. After carefully analyzing these programs they appeared to contain much material that was either unfair, prejudicial or unjust to other religions and it was deemed to be in the best interest of KSD and the *Post-Dispatch* not to accept the business. Judge Rutherford termed this action as high-handed and an interference with his constitutional rights of free speech. KSD, however, was not the only station on which his programs have been rejected and, in fact, had been rejected by the networks . . .

A similar situation developed when we censored the speech of Norman Thomas, the last socialist presidential candidate, when he was invited to be a guest speaker on our station. His claim was that we not only violated his constitutional rights but also violated the Federal Radio Rules and Regulations in censoring political discussions, and although he threatened to use the incident before the Senate Committee in whose hands the Federal Communications bill had been placed, we do not know that anything ever became of it. Our attorneys . . . gave the opinion that we acted within our rights and were fully justified in our viewpoint . . .

The censorship of political speeches, of course, is not so much concerned with political policies, but entirely with the truth or falsity of the statements made and what is or is not libelous, defamatory or obscene. When such material appears in the copy, the writer has found both parties willing and desirous of deleting it. There is, however, such a large variance of opinion in this respect that we have found it necessary to consult our attorneys constantly during political campaigns. . . .

While it has not been within the scope of the committee to go into the text and psychology of other programs, the writer also regards those programs of horrible adventure stories as probably detrimental to radio. Many parents object to these programs and during such programs the radio is often silent and remains so for several periods following. These programs, undoubtedly, fill a gap in most children's lives, but it is doubtful that they are the thing for children of plastic years when they are left nervous, distraught and eager to re-enact the fiendish misdeeds of the characters.[91]

On the latter point, there is nothing to indicate that any action was taken to deal with Prichard's concern with violence in children's programming.

Classified. Classified advertising was discussed at some length in Prichard's 1931 report. The paper had developed a strict set of classified acceptability standards running to 41 items. Among these were: "Exaggerated statements of possible earnings in Salesmen Wanted advertisements such as 'Earn $20,000 a year,' are not acceptable"; "Advertisements requiring an investment of any amount are not accepted under the Help Wanted classifications"; and "Advertisements for roommates must state that the roommates be of the same sex as the advertiser."[92]

Prichard saw a close relationship between care in accepting classified advertising and the harsh realities of the Depression:

Realizing that many of the working class were hard pressed by economic conditions, the Classified Department has checked each and every help wanted ad to verify its authenticity, so as to avoid waste in time, car-fare, etc. to our readers. On many occasions it was found that such ads were unauthorized and the only reason we were able to assign [is] that this means is taken by some disgruntled or discharged employe to cause embarrassment to their former employer.[93]

And, he commented, progress was painstaking in cleaning up other classifications:

> The ways of humanity are devious, intricate and involved and to detect fraud before it happens requires the keenest kind of introspection and at times keeps us at "wits end" in the endeavor to keep pace with the fakers and detecting their fake schemes. We feel justified in saying the advertising of this department has shown steady improvement.[94]

At the end of two and a half years of advertising censorship, Prichard was not yet ready to answer the question of how much good had been done the paper. "We cannot point to a single line of advertising that has been given to the *Post-Dispatch* because of the censorship," he concluded. "Whether or not the standing of the *Post-Dispatch* has been improved must by force of facts depend upon opinions of others in the advertising and newspaper fields."[95]

Implicit in Prichard's comment were that the newspaper was going to continue its censorship policy, that with patience there was the possibility that the paper's reputation might be enhanced and its practices imitated and that the cost so far had been worth it and affordable.

Though it felt the effects of the hard times, to be sure, the *Post-Dispatch* itself was not in serious financial trouble during the Depression decade. It began and finished the 1929-1939 period with nearly half (47 percent) of the total newspaper advertising lineage in St. Louis. Its nearest competitor, with 30 percent of the lineage, was the city's only morning paper, the *Globe-Democrat,* which also had a competing Sunday edition. However, as a measure of the severity of the economic decline in St. Louis, the advertising lineage figures for 1929 and 1939 are telling. In 1929, the *Post-Dispatch* sold 23,760,760 lines of advertising; in 1939, 14,166,098, a decline of 9,594,662 lines or slightly more than 40 percent of the 1929 total. Its competitors suffered similar sharp declines.[96] Commenting on this, Pulitzer wrote: "The moral . . . is that although we have held our percentage of the advertising available in St. Louis as compared to the percentage we enjoyed in 1929, we have lost a considerably greater portion of our '29 peak advertising than have other newspapers around the country. In other words, we are still getting our share of the dollars but the number of dollars available is fewer."[97] As of 1941, the paper was ranked 30th among the 30 leading newspapers in estimated net revenue from national advertising with $1 million.[98]

By another measure, circulation, the *Post-Dispatch* had, overall, a small edge from 1929 to 1939, competing at first in a field of four major dailies that declined to three in 1932 with the merger of the smaller-circulation *Star* and *Times*, both, like the *Post-Dispatch*, evening newspapers. The major rival was the morning *Globe-Democrat*, whose daily circulation was higher than the *Post-Dispatch's* by 37,000 in 1929 and remained somewhat higher until 1935, when the *Post-Dispatch* achieved a slight lead. The *Post-Dispatch* was the leader in Sunday circulation by more than 82,000 in 1929, and always led by more than 40,000 on Sunday throughout the decade. In 1929, the *Star* and *Times* had a combined circulation of 209,886; by 1939 the *Star-Times* circulation was 148,883. In 1939, the *Post-Dispatch* had 260,088 Sunday circulation to the *Globe-Democrat's* 218,865.[99] The lineage and circulation figures show that there was some basis for concern that a stringent advertising censorship policy might divert some of the diminishing advertising revenue to the competition.

Worrisome as well were the adverse effects on business of the Depression. In July, 1931, Burbach sent a letter to Pulitzer at Bar Harbor reporting that both local and national advertisers thought advertising rates should be reduced and that "we know that the seven big stores will materially reduce their space, at least until they see more definite signs of better business."

Burbach did not recommend lowering rates, however, but instead suggested "that we modify our censorship regulations just enough to enable us to accept what I call border line accounts." He explained:

> This includes advertisement of articles of merit which we have omitted because they do not measure up to all our regulations. A typical example is "Mountain Valley Water." It is advertised as a remedy *that aids in the treatment* of the kidneys, bladder and other organs. The committee construed this to mean that Mountain Valley Water "is offered as a treatment in major ailments." Inasmuch as the advertiser cannot be persuaded to eliminate reference to specific treatment from the copy, the advertising has been rejected. There has never been any question in the minds of the committee members as to the purity of the water and the question of whether or not it could be used as a drinking water under any circumstances. . . .
>
> Twenty-one accounts, involving in excess of 85,000 lines a year, are included in this border line group. It is estimated that this represents a minimum of $40,000 a year.
>
> I believe we can accept most of this advertising without breaking down our general principles of censorship. At least we will still have a more rigid censorship than most newspapers. I am indicating my opinion by marking the reports okay or

reject. G.M.B.

For your information, I am also sending reports of the censorship committee with Prichard's independent views on the bottom of each report.[100]

Pulitzer both rejected Burbach's idea and registered agreement with Prichard's judgments:

I am returning enclosed herewith the copy and committee reports on what you originally described as "borderline" medical copy. If the first dozen samples which I have read are characteristic of the whole I should say that they are all, including Mountain Valley Water, glaring examples of fake, misleading advertising almost certain to lead to injury to the public health, and as such definitely unacceptable.

Incidentally I agree with all of Mr. Prichard's conclusions which I have read.[101]

Broadened Scope. Even as he presented them, Burbach might have known that the economic factors he outlined would not deter Pulitzer from his original course and that Prichard had accurately read the publisher's attitudes. At the beginning of the board's second year, the decision had been made to broaden the scope of censorship beyond its initial focus upon medical advertising. This "second phase" would "include all advertising regardless of its nature." At Burbach's direction, Prichard had notified all sales personnel in a memo "that the responsibility of accepting advertising containing suggestive, repulsive, false, misleading, deceptive and untrue advertising rests with the solicitor and the party who accepts the advertising as much as it does with the Advertising Censorship Board." The memo concluded: "It has been definitely decided that any advertising of a doubtful nature must be eliminated from the columns of the *Post-Dispatch.*"[102]

These were, of course, grayer areas, where judgments might be harder to reach. Prichard, by virtue of his training, was a logical evaluator of medical copy. And, as it turned out, he also was able to adapt the paper's experience with other kinds of advertising—and the publisher's wishes—into guidelines for future censorship decisions. For example, in March, 1930, the paper carried an ad for a brokerage firm which then failed, costing investors more than $2 million. The paper was severely criticized. Thereafter, the censorship board carefully investigated before accepting similar ads. A few months later, the board demanded that a firm wanting to advertise a "going out of business" sale show either that its lease had been disposed of or that a closing date had been set. When it could not do so, a contract specifying that 221,669 lines would be carried during the remainder of the year was canceled. The firm still was in business

at the beginning of 1931.[103]

Other decisions had to be based on something less than certainty that a claim was false. With no actual proof, the board rejected as fraudulent an ad for a device it said would make it possible for a Ford automobile to get 57 miles per gallon of gasoline. Several months later that judgment was supported when the Federal Trade Commission issued a cease and desist order against promotion of the device.[104]

In the case of cigarettes, the advertising of which would in later years become highly controversial, the censorship board was relatively untroubled. As of 1932, Prichard noted: "This advertising has shown some improvement, but still carries imaginery claims of merit. We believe, however, that little of the cigarette advertising is regarded seriously." When one campaign did draw criticism from the Women's Christian Temperance Union "regarding the almost nude illustrations, stating that they had a tendency to degrade American womanhood," the board forwarded the letter "to the manufacturer of Lucky Strikes and some improvement in the illustrations has been made."[105]

One of the most dramatic single incidents was the rejection in 1931 as false and deceptive of an ad for a baby food for which the claim was made that it enabled the body to store more calcium than would be gotten by drinking three to four times the amount of milk. Six years later, in 1937, the manufacturer signed a Federal Trade Commission stipulation to stop using the claim.[106]

The case was typical. Government regulators usually were less vigorous in their efforts against improper advertising than was the *Post-Dispatch*. Still, the censorship board believed that both government and the newspaper had responsibilities to the public and that cooperation among all the regulators was desirable. By late 1930, the *Post-Dispatch* had been aided several times in its censorship work by the Better Business Bureau, which it joined that October, as well as the FTC, the federal Food, Drug and Insecticide Administration, and the U.S. Department of Agriculture.[107]

Also helpful until it was declared unconstitutional by the U.S. Supreme Court[108] was the National Recovery Act of 1933, a key piece of President Franklin D. Roosevelt's New Deal program to get the country out of the Depression. The NRA was an attempt by Congress and the president to get industry-wide agreements on wages, hours and trade practices in order to stem the tide of business

failures because of vicious competitive maneuvers. It included provisions against unfair advertising which were in effect for about six months before the law was struck down. During that time, Prichard noted, "it must be said in all sincerity that the various NRA Codes simplified the administration of the censorship. The correction system that had been adopted by the retail code was expensive and was regarded as embarrassing to the merchant, and therefore, infractions were less likely. . . ." But after the Court invalidated the NRA, "there was a slipping backward, not only in advertising practices, but also in merchandising practices."[109]

That experience showed that while government regulation could be helpful at times, the newspaper was for the most part on its own in pursuing a consistent policy of consumer protection. At the end of 1935 Prichard reported that "many of the medical advertisers are gradually slipping back into their old habits," and that "it has been necessary for us to be more on the alert this year than during the previous year." When the distributor of "Father John's Medicine" was stopped by the FTC from representing the product as a "remedy" for colds it was allowed to advertise it as a "treatment" for colds. Believing that "the public who would rely on these ads would not and could not appreciate this fine distinction," the censorship board rejected the revised copy. "The incident shows, too," Prichard pointed out, "that the Federal Trade Commission cannot be regarded as a satisfactory protector of the public health so long as it is limited to unfair trade practices being the basis of all its proceedings."[110] Father John's did ultimately get advertising space in the *Post-Dispatch* by meeting the paper's terms for both its advertising copy and its label. Thereafter, it used the same copy throughout the country.[111] Prichard said the censorship board could by 1935 list more than 100 instances in which "the *St. Louis Post-Dispatch* in rejecting such advertising was months and in most cases years ahead of the various governmental bodies who had jurisdiction over advertising or claims on the package."[112]

In practical terms, that remained true even after Congress in 1938 enacted the Wheeler-Lea Amendment, described above.[113] Prichard did credit the amendment with reducing the number of schedules of a "questionable nature" that were submitted to the newspaper. But the fact was, he added, that "the law is weak and will not accomplish what its proponents had hoped" because its enforcement provisions came into effect only after violation of a cease-and-desist order.[114]

More than anything else, what made the censorship program at the *Post-Dispatch* necessary, in Prichard's view, were the limitations of the law generally. "The law is not a satisfactory censor," he said in a speech before a "Consumer Forum" in Columbus, Ohio, on February 15, 1938. "For the most part, it functions in the light of things so wrong that the community generally realizes it and has taken action to protect itself against them." Outside its reach, he contended, is a "twilight zone," where "cunning operators" are able "to further their schemes to rob or injure the victim" because they "are not subject to prosecution, or can escape prosecution because the public has not protected itself with the right kinds of laws, and they know it. The publisher, therefore, cannot depend upon official acts as a guide for newspaper censorship."

That meant, he concluded, that the publisher has a moral rather than legal obligation to protect "those least able to or who are unable to protect themselves—those who need it most—the ignorant, the weak and the helpless." Each publisher, he observed, will deal with the problem in his own way,

> . . . according to his individual point of view, his financial strength and his sense of responsibility. No one man knows the details of the censorship policy of each newspaper.
>
> The *Post-Dispatch* platform has a clause reading, "it will always fight for progress and reform," and another, "always be devoted to the public welfare." Those clauses express the basis of our censorship.[115]

Prichard's speech was reprinted "in whole or in part in nearly 30 magazines, trade papers and newspapers,"[116] representing the first wide-scale publicity the paper's censorship practices had received. Even then, Prichard emphasized that:

> . . . we have been told on many occasions that if we publicized our censorship it could be a real producer of business. This, however, is the first time we have told the public about our censorship and I am here now on invitation. The reason we have not done so before is that we regard our censorship not as a sales asset but as a moral obligation.[117]

What he did not say was that the censorship board had unsuccessfully urged publicizing its work at least since 1932.[118] Nearly 50 years later, Brockman recalled Pulitzer's response: "No paper should publicize its good acts because a good newspaper is expected to do those things."[119]

Prichard did, however, give an estimated cost of censorship of "approximately $200,000 annually,"[120] which is more than double

the highest yearly cost of $91,639 (for 1937) listed in his annual reports.[121]

There can be little doubt, though, that whatever its cost, most, if not all, other newspapers were unwilling to go to the lengths of the *Post-Dispatch* in censoring advertising. It was described in the opening sentence of the *Editor & Publisher* report of Prichard's speech as a paper "which has barred . . . some outstanding campaigns that were accepted by most other metropolitan newspapers."[122] One example was "the kissing campaign of White Owl Cigars,"[123] which Prichard described as "showing a man and a woman in a tight embrace kissing each other, with the question, 'How does she kiss you?' "

> Can you imagine anything more distasteful than associating intimate kissing with breath odors derived from the use of cigars? There was also the thought that pictures of this sort may have an effect upon the morals of youths, encouraging them to be less concerned about kissing, petting, etc. On the basis of this copy being objectionable from the standpoint of good taste and possibly contributing to the delinquency of youth, it was rejected. The campaign last year amounted to 28,381 lines which in revenue was approximately $10,200. We were told we were the only newspaper in the country to reject the copy.[124]

Pulitzer himself had ordered the rejection.[125] While such cases undoubtedly made the paper's policies appear prudish to many, in fact it was by the final two years of the decade turning away considerably less lineage than it had in previous years. Part of the explanation, Prichard noted, was that "in nearly every case we were able to get copy revised."[126] Another factor was the board's—with Pulitzer's permission—relaxation of "restrictions on good taste" by allowing "such words as pimples, blackheads, etc. in display type in headings and subheadings."[127] This happened after Burbach suggested to Pulitzer in April, 1938, that "the time has come for us to ease up a bit on our policy."[128] Pulitzer replied: "I am not willing to lift the censorship requirements one iota insofar as medical advertising is concerned which is either false or misleading in its claims or harmful in any degree in its contents." He conceded that "through over zeal or misunderstanding of my point of view" the policy may have been carried too far "as to so-called offensive copy with illustrations of corns, teeth, bad breath, pimples, etc. There, as I see it, the decision must be based on business judgment, the only question to be decided there is in the long run would the acceptance of such copy help the paper more than it would hurt it."[129]

The decline in the estimates of lost revenue was substantial—from $91,679 in 1937 to $56,480 in 1938, a difference of $35,199. The estimate for 1939 was $44,162, down $12,318 from the previous year.[130] At the same time, it should be noted that as of 1938 there were 453 items on the rejected list,[131] representing a continuing loss of lineage for which there was no means to measure.

Conclusion

It would be as difficult to prove that the *Post-Dispatch* developed a more rigorous censorship policy than any other newspaper as it would be to prove some of the exaggerated claims it refused to print. It is clear, though, that acceptability standards varied widely in daily newspapers at the time and depended almost entirely upon each paper's sense of its own accountability for claims made in its pages. When he was interviewed in 1981, there was no doubt in the mind of Ben L. Brockman, the only surviving member of the paper's first advertising censorship board and the author of its original regulations, that the *Post-Dispatch* was from 1929 to 1939—and beyond—the strictest censor of advertising in the country. "There was no paper in the United States that had a censorship that even came close to ours," he said.

That included the New York *Times*, whose operation he saw first hand during many visits to New York, Brockman explained. He also observed that the *Times* did not have as many censorship problems as the *Post-Dispatch* because its rates were so high as to eliminate much disreputable business. As for other metropolitan newspapers, Brockman recalled that advertising executives from the *Post-Dispatch* and nine other eastern and midwestern papers would "get together about every three months to discuss common problems." When the talk turned to censorship, "all the rest would say, 'Only the *Post-Dispatch* could afford anything like that.'" The other papers were the Philadelphia *Bulletin*, Philadelphia *Inquirer*, Atlanta *Journal*, Boston *Globe*, Cleveland *Plain Dealer*, Detroit *News*, Chicago *Tribune*, Milwaukee *Journal* and Kansas City *Star*.[132]

A study of the advertising acceptability standards of 44 newspapers (not including the *Post-Dispatch*) done in 1930 at Bryn Mawr College strengthens Brockman's conclusion. It found that eight papers—the *Christian Science Monitor*, *United States Daily*, New York *Times*, New York *World* (operated by Joseph Pulitzer II's

brothers Ralph and Herbert), New York *Post*, Boston *Transcript*, Minneapolis *Journal* and Milwaukee *Leader*—were quite restrictive. The others, in varying degrees, were less so, leading the researchers to conclude that "many . . . among the most reputable dailies in the country still make seemingly little effort to protect their readers from the drugs, the false promises and the unsound claims of pernicious medical advertising." Most objectionable, they believed, were cure-alls, said to be effective against virtually any ailment or discomfort and ads that made excessive claims, such as to "reduce goiter in seven days." One ad, in the *Morning Oregonian*, was for "Chinese Herbs." The claim was that the user would "avoid operations" even if he or she suffered from fistula, diabetes, goiter, piles, tumors and other major ailments.[133]

Such advertisements, however carefully—or carelessly—policed, represented quite straightforward questions of ethical behavior in the interest of the consumer's health. They also represented, as a breakdown of the lineage printed in the 24 largest carriers of daily newspaper advertising during the first six months of 1932 suggests, a very small percentage of total advertising lineage. Ranked lowest to highest, the *Post-Dispatch* was sixth with 1.26 percent of its total lineage in the medical category. The New York *Times* was the lowest, .62 percent; the Syracuse *Journal and American* was the highest, 3.82 percent.[134]

What this suggests is that what made the *Post-Dispatch*'s advertising censorship program distinctive if not unique was the lengths to which it went in barring or requiring the revision of non-medical copy. As Prichard noted in describing his censorship background in a resume prepared in 1946:[135] "In those formative years many of these decisions came under the heading of medical censorship, but the majority actually belonged in the field of philosophy and social science."[136] When it came to advertising, most publishers, it seems safe to say, chose to stay out of those areas, where questionable calls and added expense were certainties. They knew without being told what Prichard had outlined in his 1938 speech—that maintaining a censorship operation was complex, including "inquiries regarding the financial responsibilities of the advertiser, his reputation and standing, and the truth of the statements in the advertising."

> In testimonials we want to know whether they are authentic, and confine such statements to the merits or claims justified by the product. In any case, the facts decide the fate of the advertisement. To determine these often requires investiga-

tion, analysis, research and finesse of a high degree.[137]

It is clear that the financial health of the *Post-Dispatch* played a part in its willingness to maintain the censorship policy. This surely made it easier to absorb the inevitable losses and supported the patience that was to some degree rewarded by the willingness of advertisers to alter their copy and in some cases even permit the *Post-Dispatch* to make changes on its own.[138] That willingness also showed how valuable *Post-Dispatch* space was to most advertisers despite the availability of other newspaper advertising outlets in St. Louis.

In fact, the competing newspapers at times felt pressure because of the vigilence of the *Post-Dispatch* censorship board. During the enforcement of price regulation under the NRA Retail Fuel Code in 1934, for example, an Illinois fuel retailers' association complained to the *Globe-Democrat* and *Star-Times* because they were accepting ads from coal dealers who were selling below the code minimum: "We hope that before receipt of this letter that you will line up with that, as always, outstanding paper the *Post-Dispatch* to insure conditions in the Retail Fuel industry somewhat better than the slavery and starvation that most of it has been in."[139] Shortly thereafter an NRA administrator wrote to Prichard: "The fact that you led . . . not only caused the other papers to fall in line but resulted in making many friends for the *Post-Dispatch* among members of the industry and especially among those who are in position to use display space."[140]

It also is likely that in some non-measurable degree, *Post-Dispatch* censorship in the interest of promoting public morality was assisted by what passed for a consensus on moral behavior and "good taste." This is supported by the reaction in *Editor & Publisher* in 1932 to the publication in a number of newspapers of an illustrated ad for the film "Bird of Paradise," which the *Post-Dispatch* rejected. "The picture referred to," *Editor & Publisher* explained under the heading, "Indecent Advertising,"

> . . . is a huge silhouette of a naked caveman, bearing in his arms a white girl wearing a couple of ostrich plumes and a smirk. For vulgarity and unabashed exhibitionism this picture goes the limit and is startling when seen in the columns of newspapers that for many years have enforced editorial and advertising rules calculated to conserve decency in public print . . . .
>
> Certainly the American press cannot be used in this high-handed manner without risking harmful reactions from normal readers. If this means state or national

censorship the sacrifice would be pathetic indeed.[141]

Though he committed nothing to paper on it, it seems plausible that one reason Pulitzer resisted recommendations that the advertising censorship program be publicized was his sense of the negative connotations of censorship. For his part, Prichard took some pains in his writing to identify the board's work with consumer protection and not social or political control. It could be, of course, a fine line that others could decide not to draw. Yet in staying with the basic committment to censorship and bending only to the limited extent of admitting what had to be recognized as conventionally accepted descriptive terms such as "pimples" and "bad breath," the *Post-Dispatch* was able to preserve its original goal. In 1939 Prichard could say:

> In any effort of this sort it is easy to assume a "holier than thou" attitude and become picayunish in applying the rules, but I believe that we have now reached a fine balance that needs only careful watching to maintain an even course. And in place of the thought that fault might be found with anything that might be submitted to the censorship office, many have said they feel that some constructive suggestion is apt to be made.[142]

Perhaps the biggest factor in Prichard's success in carrying out the publisher's mandate was his belief that at bottom the censorship operation served not only the best interests of reader-consumers, but of advertising itself. The exigencies of the Depression could be given some credit in this regard. "Revulsion of merchants and customers against the 1932 mode of retail advertising is one of the accomplishments in the 'New Deal' that should not go unnoted," Prichard observed. Articles critical of advertising appeared in several national magazines in the fall of that year, creating "the feeling that advertising was either a great waste or a great joke," he said. He added that organizations such as Consumers Research, Inc., had had a sharp increase in subscribers to their publications, which would often make "the advertiser appear as something of a liar." He could only agree that much of the criticism was justified:

> It will be recalled the cigarettes were bellowing at each other—the coffees began to snap and snarl, casting slurs upon one another's freshness and so on through toothpaste, soaps, mouthwashes, oils, antifreeze mixtures and other ballyhoo, bunk and occasionally downright misrepresentation with which most consumers became familiar. . . . If the public really believed advertising as it was then written, the stores wouldn't be large enough to handle the crowds.[143]

There can be no doubt that the *Post-Dispatch* program had a certain ripple effect upon advertising practices both in St. Louis and

elsewhere in the country, if only in specific instances. And in the decades since 1939, as Brockman pointed out, government regulations have largely caught up with what the *Post-Dispatch* began doing more than 50 years ago in the medical and health care areas.[144]

Still, the "twilight zone" that Prichard spoke of remains, and for that reason, the St. Louis *Post-Dispatch,* 103 years old as this is written, continues to censor advertising.[145] It would be impossible to say how much its care for advertising credibility has contributed either to the paper's good name or its longevity, though it probably has enhanced both. It is clearer that the censorship policy was of most benefit to *Post-Dispatch* readers, which is precisely what Joseph Pulitzer II had intended.

NOTES

[1] David A. Aaker and George S. Day, *Consumerism* (New York: The Free Press, 1974), p. 125.

[2] Eric J. Zanot, "The National Advertising Review Board, 1971-1976," *Journalism Monographs,* No. 59 (February 1979), p. 1.

[3] See note 96 below and accompanying text.

[4] See, on the senior Pulitzer's St. Louis years, Julian S. Rammelkamp, *Pulitzer's Post-Dispatch, 1878-1883* (Princeton, N. J.: Princeton University Press, 1966); on the New York years, George Juergens, *Joseph Pulitzer and the New York World* (Princeton University Press, 1966) and W. A. Swanberg, *Pulitzer* (New York: Scribner's, 1967).

[5] Roger Butterfield, "An Editor Must Have No Friends," *Collier's,* Dec. 23, 1950, p. 48.

[6] Quoted in Frank Luther Mott, *American Journalism,* 3rd Edition (Toronto: Macmillan, 1962), p. 642.

[7] William H. Boyenton, "Origins of Advertising Censorship in the New York Newspapers," *Journalism Quarterly,* 19:138-49 (June 1942).

[8] T. Swann Harding, *The Popular Practice of Fraud* (London: Longmans, Green and Co., 1935), p. 200.

[9] Boyenton, *op. cit.,* pp. 148-9.

[10] Harding, *loc. cit.*

[11] Boyenton, *op. cit.,* p. 143, note 39: "The writer interviewed several 'old timers' . . . in an effort to establish a priority in censorship. Nobody remembered just when or how it all started."

[12] *A History of American Magazines,* Vol. IV: 1885-1905 (Cambridge, Mass.: Harvard University Press, 1957), p. 31.

[13] *A Short History of the Saturday Evening Post* (Philadelphia: The Curtis Publishing Co., 1949), p. 20.

[14] Mott, *A History of American Magazines, op. cit.*, pp. 31-2.

[15] Quoted in Otis Pease, *The Responsibilities of American Advertising* (New Haven: Yale University Press, 1958), p. 78.

[16] Frank Presbrey, *The History and Development of Advertising* (New York: Doubleday and Doran Co., Inc., 1929), p. 531.

[17] "The Ethics of Advertising," *The Atlantic Monthly*, 169:666 (Nov. 1939). For other examples, see Ralph M. Hower, *The History of an Advertising Agency* (Cambridge, Mass.: Harvard University Press, 1949), pp. 44-6.

[18] *Ibid.*, p. 667.

[19] A discussion of these developments is in Louis Filler, *The Muckrakers: Crusaders for American Liberalism* (Chicago: Henry Regnery Co., 1950), pp. 142-70.

[20] White, *op. cit.*, p. 668. In 1905, the American Newspaper Publishers Association had gone only so far as to adopt a "resolution of advice" on the question of pure food and drug legislation. It noted that individual members were watching the course of such legislation and "favored conservative and just measures, but opposed drastic and unfair legislation." Edwin Emery, *History of the American Newspaper Publishers Association* (Minneapolis: University of Minnesota Press, 1949), p. 40.

[21] Presbrey, *op. cit.*, pp. 535-6.

[22] Pease, *op. cit.*, p. 16.

[23] Milton McRae, *Forty Years in Newspaperdom* (New York: Brentano's Publishers, 1924), p. 214.

[24] James Playsted Wood, *The Story of Advertising* (New York: The Ronald Press, 1958), p. 103.

[25] *Newspaper Story: One Hundred years of the Boston Globe* (Cambridge, Mass.: Harvard University Press, 1971), p. 159.

[26] Pease, *op. cit.*, p. 46.

[27] Quoted in Presbrey, *op. cit.*, p. 537. As was later observed: "Under such a law it would obviously be possible to use true statements for deceptive purposes." Harding, *op. cit.*, p. 203.

[28] Pease, *op. cit.*, p. 46. See also "Note: The Regulation of Advertising," *Columbia Law Review* 56:1063 (November 1956) on *Printers' Ink* and other general statutes: "Most jurisdictions have never used the statutes at all . . . and only a few have initiated more than a handful of prosecutions."

[29] "National Better Business Bureau Gets Underway," *Printers' Ink*, Aug. 20, 1925, p. 44.

[30] Pease, *op. cit.*, p. 49.

[31] *Ibid.*, p. 48.

[32] *Ibid.*, p. 49.

[33] See, e.g., Boyenton, *op. cit.*, p. 143. As early as 1929 it seems to have been taken for granted that many newspapers and magazines were doing what they could to eliminate misleading advertising. "Elaborate censorship systems are maintained by many newspapers and periodicals," according to Milton Handler in "False and Misleading Advertising," *Yale Law Journal* 39:47 (Nov. 1929). His only examples

were the *Index Expurgatorius* of the New York *Times* and *Good Housekeeping*, which maintained a testing department for certain products. The magazine's business department also routinely questioned technical claims in advertising copy and frequently persuaded advertisers to change them.

[34] *History of the New York Times, 1851-1921* (New York: The New York Times, 1921), p. 220.

[35] Meyer Berger, *The Story of the New York Times 1851-1951* (New York: Simon and Schuster, 1951), p. 348.

[36] Davis, *op. cit.*

[37] Berger, *op. cit.*, pp. 336, 369.

[38] Letter from Brockman to *Post-Dispatch* Advertising Manager George M. Burbach, Feb. 7, 1930. From the files of the late Leslie E. Prichard, chairman of the paper's Advertising Censorship Board from 1929 to 1962, in the possession of his daughter, Mrs. Mary Prichard Partridge. Hereafter, items from this source are identified "LPF" for "Leslie Prichard Files."

Prior to his visit to New York, Brockman had surveyed 26 issues of the *Times* between Oct. 25 and Dec. 18, 1929. He concluded that "they are not accepting advertising for the treatment of ailments that might prove serious, such as we are rejecting under the major ailment classification. Other than this, it is very difficult to accept the New York *Times* as a standard because I believe the [survey] clearly establishes that they are inconsistent." "Comments on Medical Policy of New York *Times*," Dec. 30, 1929. This and most of the information that follows was found in a micro-film copy of the Papers of Joseph Pulitzer II, Reel 25 (container 34) owned by the Pattee Library, the Pennsylvania State University. They cover the years 1897 to 1958. (Pulitzer lived from 1885 to 1955). The papers themselves are held by the Manuscript Division of the Library of Congress (Shelf/Accession No.: MSS 17,256). Hereafter, materials from this source are identified by the notation "*PP*," for "Pulitzer Papers." Items from other of the 162 reels of microfilm containing the papers are specifically identified. In using these and the Prichard materials, a few changes in punctuation, spelling, capitalization and grammar have been made in the interest of stylistic consistency and clarity.

[39] James E. Pollard, "Advertising Copy Requirements of Representative Newspapers," *Journalism Quarterly*, 14:260 (Sept. 1937). It is quite possible that the paper went unnamed as a result of Pulitzer's reluctance to publicize the censorship work, a policy relaxed in 1938. See note 118 below and accompanying text.

[40] *Ibid.*, pp. 261-2.

[41] Arthur Kallet and Frederick J. Schlink, *100,000,000 Guinea Pigs* (New York: Vanguard Press, 1933), pp. 180-81.

[42] Pease, *op. cit.*, p. 106. Exception is taken to a number of Kallet and Schlink's conclusions about specific products in Harding, *op. cit.*, pp. 371-6. Pease (p. 106) calls Harding's "a far more reliable study."

[43] 52 Stat. 1040 (1939).

[44] 52 Stat. 111 (1938).

[45] Pease, pp. 116-17.

[46] Arthur M. Schlesinger, Jr., *The Coming of the New Deal*, Vol. II of *The Age of Roosevelt* (Boston: Houghton Mifflin Co., 1959), p. 356.

[47] Pease, p. 118.

[48] Schlesinger, *op. cit.*, p. 359.

[49] See note 114 below and accompanying text.

[50] Pease, 131.

[51] *Ibid.*, 133-4.

[52] Letter to the author from Donald F. Maguire, Sept. 10, 1981. Maguire retired from the *Post-Dispatch* in 1980 as the fourth successor to Leslie E. Prichard as chairman of the censorship board. On Sept. 24, 1981, James D. Cherry, director of marketing at the *Post-Dispatch*, wrote to the author: "It is accurate to say that *Post-Dispatch* advertising acceptability standards are as high now as they ever were. In brief, we continue to refuse advertising which in our opinion is dishonest, misleading, distasteful or for any other reason not in the best interests of our readers. We still try to monitor every ad we publish to make certain it qualifies.

"I suppose it's also accurate to say that standards change as society changes. Doubtless we run ads now that we would have refused in the 1930s, particularly in the movie classification, but movies themselves are not what they were then, and are not so regarded by the public."

[53] See Charles G. Ross, *The Story of the St. Louis Post-Dispatch* (a commemorative booklet, 1953); John C. Merrill and Harold A. Fisher, "St. Louis Post-Dispatch" in *The World's Great Dailies: Profiles of Fifty Newspapers* (New York: Hastings House, 1980), pp. 286-94; Michael Massing, "The Missouri Compromise," *Columbia Journalism Review*, 20:35-41 (November-December 1981).

[54] Brockman to the author, telephone interview, Aug. 13, 1981.

[55] The following was published in 1956: "In 1939, eight New York City newspapers created a city-wide advertising advisory committee which adopted the standards of the N.Y. Times. This group meets monthly to discuss the problems of advertising acceptance, and has published a brochure containing retail copy standards for New York newspapers. This attempt to unify acceptance standards has apparently failed since there is today great variance in the acceptance policies of the member newspapers." Besides the New York *Times*, only the *Post-Dispatch* is mentioned as having "stringent copy requirements." *Columbia Law Review, op. cit.*, p. 1088, note 422. On *Times* censorship policy, see note 38 above and accompanying text.

[56] Partial memorandum by Virgil V. Evans written about October, 1929. *PP.*

[57] This figure is based upon estimates given for eight of the ten years (excepting 1930 and 1933) for which, apparently, the most complete data were kept. Prichard noted in his 1935 annual report that "it is impossible to make an accurate determination of its cost" because of the inability to measure lineage that never was submitted because the censorship policy existed. Annual Reports of the Advertising Censorship Board for 1931, p. 3; 1935, p. 17; 1939, p. 33, *PP*; 1932, p. 7, *LPF.*

[58] Burbach "To All Offices," June 12, 1929. *PP.*

[59] For example, Jack Harding, vice-president and treasurer of the Russell M. Seeds Agency of Indianapolis, wrote to *Post-Dispatch* Western Advertising Office Manager Philip L. Henriquez in Chicago on Aug. 30, 1929: "Your statement that the *Post-Dispatch* is 'strict' is fully noted, but I think . . . you could also truthfully claim that it has been poorly advised, is ill informed and badly in need of a censor

who combines a fair knowledge of medicine with a fair amount of common sense." However, in a letter to Henriquez dated Oct. 9, 1929, after he had met in St. Louis with the censorship board, he wrote: "I emerged with a much better understanding of the delicate position which the committee occupies in trying to comply with the publisher's instructions and at the same time trying to be fair to the advertiser." *PP.*

[60] "Mr. Burbach's memorandum," undated. Among other materials from May and June, 1929. *PP.*

[61] Pulitzer to Burbach, Jan. 9, 1932. *PP.*

[62] Fletcher to Burbach, May 13, 1929. *PP.*

[63] Fletcher to Burbach, May 16, 1929. *PP.*

[64] Henriquez to Brockman, May 13, 1929. *PP.*

[65] Evans had been advertising director for *Our Southern Gardens and Homes* magazine and director of advertising for the South for *Editor & Publisher.* He joined the *Post-Dispatch* on April 8, 1929. Initially, Pulitzer wrote to Evans that he would "leave you in a sense unattached to any one particular department and give you a variety of assignments, which might include . . . the censoring of advertising, surveys of various circulation and advertising problems." Pulitzer to Evans, March 25, 1929. Reel 85 (container 104), Pulitzer Papers.

[66] Burbach to Pulitzer, Oct. 2, 1929. *PP.*

[67] Evans to Pulitzer, Nov. 20, 1929. The several quotations which follow are from this 28-page memo which includes several "exhibits." The pages were not numbered. *PP.*

[68] *Ibid.*, J. Walter Thompson Agency.

[69] *Ibid.*, Batton, Barton, Durstine and Osborne Agency.

[70] *Ibid.*, N.W. Ayer Agency.

[71] *PP.*

[72] Pulitzer to C. R. D. Meier, Oct. 16, 1931. Reel 28 (container 38), Pulitzer Papers.

[73] Partial memorandum from Evans to (probably) Pulitzer in October, 1929. It notes that the censorship policy has been in effect for five months. *PP.*

[74] Dr. Arthur W. Proetz to Pulitzer, Nov. 15, 1929. *PP.*

[75] Pulitzer to Proetz, Nov. 18, 1929. *PP.*

[76] Pulitzer to Brockman, Oct. 19, 1929. *PP.*

[77] "The committee urges some type of publicity be given our regulations from time to time in the columns of the *Post-Dispatch.* During the past year no publicity was given it in the *Post-Dispatch* or to the writer's knowledge in any other publication, as was the case in previous years." 1934 Report of the Advertising Censorship Board, p. 3. *LPF.*

[78] Burbach to Pulitzer at Bar Harbor, July 23, 1929. Telegram. *PP.*

[79] Brockman to author.

[80] *Ibid.*

[81] Annual Reports of the Advertising Censorship Board, 1930, p. 2; 1931, p. 2; memo from *Post-Dispatch* treasurer Stuart M. Chambers to Burbach, Dec. 2, 1929. The 1929 estimate is based upon the relatively scant data given, dealing only with national advertising, for which the highest rate was charged. *PP.*

[82] 1932 Report. *op. cit.*, p. 2.

[83] 1930 Report, p. 1.

[84] 1931 Report, p. 1.

[85] Leslie E. Prichard, "Publisher's Responsibility for Honest Advertising Is Over and Above Law, Consumer's Forum Is Told," *The Ohio Newspaper*, 18:8 (March 1938). Partial text of speech delivered Feb. 15, 1938, in Columbus, Ohio. *LPF.*

[86] 1932 Report, p. 2.

[87] 1933 Report of the Advertising Censorship Board, p. 2. *LPF*

[88] Pulitzer to Burbach, March 19, 1935. *PP.*

[89] Résumé of Leslie E. Prichard, describing his newspaper and radio experience. *LPF.*

[90] 1939 Report, p. 6.

[91] 1934 Report, pp. 15-16.

[92] "General Rules of Censorship," undated. *PP.*

[93] 1931 Report. *op. cit.*, pp. 18-19.

[94] *Ibid.*, p. 19.

[95] *Ibid.*

[96] For the *Globe-Democrat*, it was 14,127,600 lines in 1929 against 9,169,638 in 1939, for 28 and 30.3 percent respectively of the total lineage in the city for those years; for the *Star* and *Times*, which combined into one evening paper in 1932, the figures were 12,634,979 and 6,956,487 for 25 and 22.9 percent of the total lineage. "Comparison of Newspaper Advertising in St. Louis 1929-1939," Reel 24 (container 32), Pulitzer Papers.

[97] *Ibid.* Memo dated Feb. 4, 1940, attached to the comparison.

[98] The top three papers were the New York *News*, $5.5 million; New York *Times*, $4.5 million, and Chicago *Tribune*, $4.4 million. Neil H. Borden, Malcolm D. Taylor and Howard T. Hovde, *National Advertising in Newspapers* (Cambridge: Harvard University Press, 1946), p. 197.

[99] Circulation figures are from the *American Newspaper Annual and Directory* (Philadelphia: N. W. Ayer and Son, 1929 through 1939).

[100] Burbach to Pulitzer, July 15, 1931. *PP.*

[101] Pulitzer to Burbach, Sept. 2, 1931. That at least one major newspaper had relaxed its censorship standards in the first year of the Depression was indicated in a December, 1930, report by Prichard, in which he noted that the *Post-Dispatch* censors had rejected advertising for preparations to treat hemorrhoids, rheumatism, catarrh and deafness because all are major ailments. He noted that the agency representative told him that the Chicago *Tribune*, which formerly rejected the same account, is "now accepting it, saying that during the past year the medical censorship of the *Chicago Tribune* has apparently been modified to some considerable extent." Report of Advertising Censorship Board, Dec. 8, 1930. *PP.*

[102] Prichard to sales personnel, May 5, 1930. Quoted in 1930 Report, pp. 2-3.

[103] *Ibid.*, p. 3.

[104] *Ibid.*, p. 9.

[105] 1932 Report. *op. cit.*, pp. 28-9.

[106] Prichard, *loc. cit.*

[107] 1930 Report, p. 4.

[108] *Schechter Poultry Corp.*, v. *U.S.*, 295 U.S. 495 (1935).

[109] 1935 Report, p. 1.

[110] *Ibid.*, p. 3.

[111] 1934 Report, p. 12.

[112] 1935 Report, p. 3.

[113] See note 44 above and accompanying text.

[114] 1938 Report of the Advertising Censorship Board, pp. 2, 4. *PP.*

[115] Reprint of portions of the speech, headed "Advertising Censorship Builds Good Will," in *The American Press*, April 1938. *PP.*

[116] 1938 Report, p. 7.

[117] "Post-Dispatch Ad Censorship Costs $200,000 Annually," *Editor & Publisher*, April 9, 1938.

[118] 1932 Report, p. 8; 1934 Report, p. 3.

[119] Brockman to author.

[120] *Editor & Publisher, loc. cit.*

[121] 1939 Report, p. 3. For other publications only imprecise information was found on the monetary cost and benefit aspects of advertising censorship. From a newspaper history: "This system of scrupulous care, while shutting out many advertisements, has resulted in such confidence in the advertising columns that it has doubled the volume of the paper's advertising and trebled the rate in recent years, with no corresponding increase in the paper's circulation." Joseph E. Chamberlin, *The Boston Transcript: A History of Its First 100 Years* (Boston: Houghton Mifflin Co., 1930), p. 183. In a Curtis Publishing Company booklet on the *Saturday Evening Post, loc. cit.:* "There is no accurate record of the amount of revenue thus turned away through the years, but it has been placed as high as $7,000,000 in some recent years."

[122] *Loc. cit.*

[123] 1938 Report, *op. cit.*, p. 8.

[124] *Editor & Publisher, loc. cit.*

[125] Pulitzer to Burbach, May 6, 1937: "Please make it a censorship rule to bar all pictures of kissing and let us try to avoid all references to bad breath. This means we shall have to kill all White Owl cigar ads like that of May 5th, which I consider highly objectionable." *PP.*

[126] 1938 Report, p. 2.

[127] *Ibid.*, p. 10.

[128] Burbach to Pulitzer, April 13, 1938. *PP.*

[129] Pulitzer to Burbach, April 14, 1938. *PP.*

[130] 1939 Report, p. 33.

[131] Prichard, *loc. cit.*

[132] Brockman to author.

[133] Hornell Hart, Susan M. Kingsbury and Romayne Rowe, "Violations of Newspaper Codes," *The New Republic*, 64:292-3 (Oct. 29, 1930). Little had changed as of 1956: "Indeed, it appears that a great many newspapers do no more than control the most palpable abuses and many newspapers lack any organized

acceptance policy." *Columbia Law Review, op. cit.*, p. 1087.

[134] The other papers ahead of the *Post-Dispatch* were the New York *Sun*, .87; New York *Herald Tribune*, .97; Washington *Star*, 1.08 and Boston *Herald*, 1.13. Others at the bottom of the scale were the San Antonio *Light*, 3.75 and the Detroit *Times*, 3.72. In St. Louis, the *Globe-Democrat* had 2.84, the *Star-Times*, 4:38.

[135] Mary Prichard Partridge to the author, Aug. 7, 1981 (letter).

[136] Résumé, *loc. cit.*

[137] Prichard, *op. cit.*, p. 7.

[138] Some examples of this are related in the 1932 Report, p. 10.

[139] Copy of letter dated Nov. 24, 1934 in 1934 Report, pp. 7-8.

[140] Copy of letter dated Dec. 7, 1934 in 1934 Report, p. 9.

[141] *Editor & Publisher*, Oct. 8, 1932.

[142] 1939 Report, p. 3.

[143] 1933 Report, pp. 8-9.

[144] Brockman to author. See also, *Columbia Law Review, op. cit., passim;* Sara Mercer, "Federal Trade Commission Authority to Order Corrective Advertising," *Wisconsin Law Review* 1978:605-25 (1978). It also has been observed in more recent times that "the advertising departments of many publications and broadcasters are quicker to censor advertising than the news departments are to censor their fare. Thus, the Chicago *Tribune* will not accept ads that use such superlatives as 'lowest prices,' but the *Tribune* bills itself as 'The World's Greatest Newspaper.' The *Tribune* advertising department will not accept horoscope ads, but the news department runs a daily horoscope. The advertising department of the Denver *Post* inked in a higher bodice on a picture of an actress; the news department carried the same picture, untouched, on the same page." William L. Rivers, Theodore Peterson and Jay W. Jensen, *The Mass Media and Modern Society* (San Francisco: Rinehart Press, 1971), p. 152.

[145] From *Editor & Publisher International Yearbook, 1980*, p. 1-164: "Advertising Not Accepted: All advertising judged not to be in the reader's best interests."